



TGP/5: Section 5/2 Draft 3

ORIGINAL: English

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

DRAFT

Associated Document
to the
General Introduction to the Examination
of Distinctness, Uniformity and Stability and the
Development of Harmonized Descriptions of New Varieties of Plants (document TG/1/3)

DOCUMENT TGP/5

“EXPERIENCE AND COOPERATION IN DUS TESTING”

Section 5:

UPOV Request for Examination Results and
UPOV Answer to the Request for Examination Results
as adopted by the Technical Committee on October 6, 1989
reproduced from TC/XXV/12, Annex, pages 6 and 7

Document prepared by the Office of the Union

to be considered by the
Administrative and Legal Committee at its fifty-sixth session,
to be held in Geneva on October 22 and 23, 2007

TC/XXV/12
Annex, page 6

UPOV REQUEST FOR EXAMINATION RESULTS

1. Requesting authority
2. Reference number of requesting authority
3. Breeder's reference
4. Date of application in requesting State member of the Union
5. Applicant (Breeder)¹ (name and address)
-
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6. Botanical name of taxon
7. Common name of taxon
- [new] UPOV code
8. Variety denomination
- [new] Status of variety denomination: proposed [] approved []
9. Breeder Person² who bred, or discovered
and developed, the variety (name and address)
- (if different from applicant)
10. We would be grateful to receive the report
on the examination of the above-mentioned
variety. It will be needed for an application:
(a) for protection []
[(b) for registration in the list of varieties [....] (to be completed by the Authority as appropriate)³] []
11. A copy of the technical questionnaire
filled in completed by the breeder is attached []
12. According to our information, prior application(s)
for the same variety has (have) been made in
-
- [new] Please send the official invoice to
13. Date
14. Signature

¹ The “applicant” should be the “breeder” according to the definition of “breeder” in Article 1(iv) of the 1991 Act of the UPOV Convention which is:
“– the person who bred, or discovered and developed, a variety,
– the person who is the employer of the aforementioned person or who has commissioned the latter’s work,
where the laws of the relevant Contracting Party so provide, or
– the successor in title of the first or second aforementioned person, as the case may be”.

² In this document, the term “person” in Article 1(iv) of the 1991 Act of the UPOV Convention should be understood as embracing both physical and legal persons (e.g. companies).

³ If appropriate, to insert paragraph (b) with the relevant term to cover an official register, for example, of varieties admitted to trade (e.g. National List, Official Catalogue etc.)

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Annex, page 7

UPOV ANSWER TO THE REQUEST FOR EXAMINATION RESULTS

1. Reference number of requesting authority
 2. Reference number of reporting authority
 3. Testing authority
 - [new] Variety denomination
 - [new] Status of variety denomination: proposed [] approved []
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4. The examination of the variety ~~mentioned on the back of this form~~
 - (a) has already been completed []
 - (b) has been in progress since/for (date/approximate time) []
 - (c) will be undertaken as from (approximate date) on the basis of an application or a request already submitted []
 - (d) will be undertaken as from (approximate date) on the basis of your request []
5. The examination report:
 - (a) is enclosed. []
 - (ab) is enclosed. An official invoice will be submitted to you in due course []
 - (c) is enclosed. []
An official invoice will be sent to
 - (bd) will be forwarded by (approximate date) []
6. The costs are expected to amount to
7. Special requirements
8. Remarks
9. Date
10. Signature

[new] It would be appreciated if you could inform us of the outcome of the use of the above examination results.